REMARKS

Claims 6-10 were pending in this application. No claims have been added or canceled. Hence, claims 6-10 remain pending in this application.

Claim 6 has been amended to clarify that the optimal value is a fixed value and that the user defined threshold is a travel value index threshold. Support for the amendments may be found throughout the specification in general and at least on page 19, lines 6-37 and page 14, lines 9-12.

No new matter was added.

Rejections

Claims 6-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Ahlstrom et al. (U.S. Patent No. 4,862,357).

Claim 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahlstrom et al. in view of Bunyan et al. (EP 1,076,307).

To the extent the rejections may be applied to the claims as amended, these rejections are respectfully traversed.

The Claimed Invention

The present invention, as recited in claim 6, is directed to a method for facilitating selection of travel itineraries. The method comprises selecting a travel criteria, defining a traveler profile containing traveler preferences associated with the travel criteria, and deriving preference factors, including a lowest fare multiplier, an available dates index, a non-stop service index, and an equipment type index for the travel criteria based on the traveler preferences. The method further comprises initiating a query of at least one travel information database for itineraries matching the selected travel criteria using an on-line search engine, and calculating a travel value index for each itinerary using a travel value algorithm that subtracts preference factors from, or adds preference factors to, or both, **a fixed optimal value** of the travel value index depending on the criteria matching itineraries. Only itineraries where the travel value index thereof satisfies a traveler defined **travel value index threshold** are returned.

4

Arguments in Support of the Claims

As an initial matter, Applicant kindly thanks the Examiner for the courtesy of a telephone interview on March 15, 2003. During that interview, Applicant attempted to distinguish Ahlstrom et al. on the basis that claim 6 returns only itineraries where the travel value index satisfies a traveler defined threshold, whereas Ahlstrom et al. returns a predefined number of itineraries. The Examiner contended, however, that since the claim did not specify any particular kind of threshold, a predefined number of itineraries may be a threshold.

Claim 6 has now been amended to limit the threshold to a **travel value index threshold**. Applicant respectfully submits that neither Ahlstrom et al. nor any other art of record, taken individually or in combination, discloses or suggests returning only itineraries where the travel value index (i.e., score) satisfies a traveler defined **travel value index threshold**.

Ahlstrom et al. also fails to disclose or suggest stopping a query before final completion for those itineraries that cannot meet the **travel value index threshold** (see claim 7). In other words, the travel value index of each itinerary is being computed and compared to the travel value index threshold during execution of the query. If it looks like the travel value index of a certain itinerary is not going to be able to satisfy the travel value index threshold, then the query for that itinerary may be stopped before completion to preserve processing resource. In contrast, Ahlstrom et al. allows the query for each itinerary to proceed all the way to completion and screening is then performed only to determine which of the completed itineraries should be scored.

Ahlstrom et al. further fails to disclose or suggest **a fixed optimal value** for the travel value index from which preference factors may be added to or subtracted from, or both. In contrast, the Ahlstrom et al. system begins with an initial score that is equal to the dollar value or fare of the itinerary. (See col. 10, 28-31.) This fare-based approach has an advantage in that it allows the user to quickly assess the monetary worth of a particular itinerary. However, the initial dollar value of an itinerary is not the same as "a fixed optimal value" because the fare can change for each itinerary.

Bunyan et al. also fails to disclose or suggest the elements of the claimed invention. Rather, Bunyan et al. appears to be directed merely to a method of rating holidays based on a user's preferences and other users' feedback. Nowhere does Bunyan et al. disclose or suggest,

5

for example, screening itineraries, or doing so according to a user defined travel value index threshold after they have been scored.

Accordingly, because neither Ahlstrom et al. nor Bunyan et al. (nor any other art of record) discloses or suggests each and every element of the claimed invention, withdrawal of the rejection against claim 6 is respectfully requested.

As for dependent claims 7-10, although they recite independently allowable subject matter, these claims depend from claim 6 and are therefore allowable for at least the same reasons. Accordingly, withdrawal of the rejection against the dependent claims is respectfully requested.
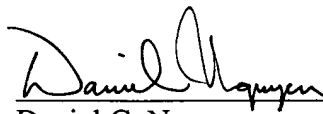
CONCLUSION

The rejections and objections raised by the Examiner have been addressed, and Applicant believes that the claims are now in condition for allowance, which action is respectfully requested. If any questions or issues remain and the resolution of which the Examiner feels will be advanced by a conference with the Applicant's attorney, the Examiner is invited to contact the attorney at the number noted below.

No fees are believed to be due, however the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 10-0447, reference 41235-00066USPL (DGN).

Respectfully submitted,
JENKENS & GILCHRIST, P.C.

Date: April 26, 2004
Jenkens & Gilchrist, P.C.
1401 McKinney, Suite 2700
Houston, TX 77010
(713) 951-3354
(713) 951-3314 (fax)

Daniel G. Nguyen
Reg. No. 42,933

6